



# IDAHO Supreme Court

JUDICIAL/ADMINISTRATIVE NEWS

JANUARY/FEBRUARY 2008

## Chief Justice Eismann Delivers “State of Judiciary” Address

Chief Justice Daniel Eismann delivered the annual State of Judiciary Address to the members of the legislative, judicial and executive branches of state government on January 7, 2008. Justice Eismann noted the significant impact that the past two decades of population growth has had on the courts. He applauded the success of the drug and mental health courts and the time and dedication of the presiding judges. The following is an excerpt from Chief Justice Eismann’s address.

The full speech is available at the [Idaho Public Television Website](#).

*“It is an honor to report on the state of the judiciary in our great state. I would first like to acknowledge my immediate predecessors, retired Chief Justices Gerald F. Schroeder and Linda Copple Trout. During their careers they both made significant contributions to the judiciary and to our state. I have been a judge for over twenty-one years, serving as a magistrate judge in Owyhee County, as a district judge and administrative district judge in the Fourth Judicial District, and now as a justice on the Supreme Court.*

*“The current state of the judiciary can best be understood by reviewing some of the changes that I have observed during the last 20 years. Idaho’s population has grown almost 60%. A population growth typically causes an increase in court filings, and that has happened in Idaho. Case filings have increased over 40%, so that during 2007 almost one-half million cases were filed in Idaho’s state courts. During the last 20 years, the case loads of District Judges has increased by 57%.*

*“We continue to place great emphasis on our very successful drug and mental health courts. To preside over these courts, judges must take specialized training, learn new skills, and devote additional hours to their jobs. With offenders returning to court regularly to receive rewards for doing well and consequences when struggling, the judges spend more time with each offender than the traditional manner of handling such cases. That investment in the lives of addicts and the mentally ill by trial judges is paying priceless dividends to our State.*

*“The Ada County Drug Court is our state’s largest drug court, with 483 graduates. I had the opportunity to help create that court and presided over it for two years. The typical graduate had been using drugs for almost 17 years, with the overwhelming majority of them addicted to methamphetamine. When they entered drug court, on average they were using over \$3600 in drugs per person per month.*

*“While they were in drug court, the graduates stopped using drugs and obtained jobs. 97% were employed when they graduated. On average, the graduates’ annual incomes increased almost \$14,000 during the time they were in drug court. Statistics cannot reflect, however, the impacts on the addicts’ lives. I have been to many drug court graduations, and the most common statement by the graduates is, “Drug court saved my life.” As they stopped using drugs, we have also seen familial relationships restored. Family members who have not spoken to each other for years began rebuilding their relationships.*

*“The success of Idaho’s drug and mental health courts and other innovations such as Family Court Services and Court Assistance Offices would not have been possible without the cooperation of all three branches of government. Idaho’s trial judges have demonstrated their commitment to expand these vital services.*

*“Last February, the Supreme Court appointed a task force to make recommendations ranging from the future structure and operations of the Court of Appeals to staffing, technology, and facility needs. Based upon the task force’s recommendations, we ask this legislature to add one more judge to the Court of Appeals as the next step in ensuring that it can continue to fulfill its critical role in the judiciary. Our proposal is to move the Court of Appeals into the Supreme Court building and to relocate the law library to a suitable location. In spite of increasing caseloads, Idaho’s judges are fulfilling their Constitutional mandate to serve the citizens of our state and to address some of the most difficult social issues facing our state. We are very fortunate in Idaho to have an outstanding working relationship among the three branches of state government.*

*“On behalf of Idaho’s judges, I thank you for your support of the judiciary.”*





## Reports to Governor Otter and the 2nd Regular Session of the 59th Idaho Legislature

### **Drug Courts and Mental Health Courts 2007**

Drug Courts first came to Idaho nine years ago, now 52 drug and mental health courts serve Idaho. In 2007, the Idaho Legislature granted these problem-solving courts the funds to take on an additional 275 offenders. Throughout the year 1,817 individuals participated in drug and mental health courts, 230 of whom were in juvenile drug courts.

Problem-solving courts have delivered positive results. Of the 1,787 individuals supervised by the drug and mental health courts, 1,103 faced felony charges. Rather than being sentenced to prison, these defendants were managed in the community and 84% either continued to comply with the demands of staying in the drug and mental health court or graduated. Additionally, a recent study indicated that "Idaho felony drug courts achieved statistically significant reductions in recidivism."

### **Children and Families in the Courts 2007**

Extraordinary support and collaboration between the three branches of government have made Idaho courts among the most innovative in the nation. The court's dedication to innovation has benefited over 33,000 Idahoans and 14,500 children. Highlights from 2007 include:

- ⚖ The Court Assistance Office and Idaho Volunteer Lawyer workshops provided those who could not afford legal representation effective access to the courts
  - ⚖ Family Court Services assisted over 12,000 families with court connected services
- Integrated domestic violence courts in the 4th, 6th, and 7th Judicial Districts served over 1,360 consolidated cases. The integrated court provides one family with one specially trained judge, allowing judges to resolve criminal issues prior to considering evidence in a custody case. The integrated approach assures that decisions are not made in one case that conflict with existing orders or have the potential to harm family members involved in other pending cases.
- ### **Child Protection: Meeting the Challenge in 2007**
- The number of child protection petitions filed in Idaho has increased 64% in the past five years. During the same time period, the number of children in foster care has risen at an average annual rate of 9.1%. For the past nine years the Idaho Supreme Court Child Protection Committee has been meeting to address the needs of abused and neglected children. In 2007 the Idaho Supreme Court was once again awarded three federal "Court Improvement" grants to enhance improvement efforts in two essential areas as: training and technology.
- In May 2007 a Children and Families Institute was held to provide training on Idaho's child protection systems. The institute was very well received by its 250 attendees who exchanged ideas on regional and national child protection issues, relevant legal developments, and impact studies pertaining to the affect of abuse and neglect on child development. A two-day multi-disciplinary Institute on child protection issues will be held May 19-20, 2008.
- Accurate data is critical to identifying strengths and areas of improvement for child protection courts. All 44 counties have adopted the ISTARS child protection module which evaluates court performance on 18 national outcome measures. The ISTARS system helps courts ensure timely permanent placement for Idaho's most vulnerable children.
- ⚖ Three Domestic Violence Courts assisted 1,365 victims and held more than 700 offenders accountable
  - ⚖ Domestic assault and battery evaluations were strengthened
  - ⚖ The number of parents served by Family Court Services increased by 11%
  - ⚖ The number of parents attending parent education classes increased 16%, with 89% of parents planning to make a stronger effort to reduce conflict in their children's best interest
  - ⚖ The Ada County Family Violence Court Project was awarded an Outstanding Achievement Award from the Federal Children's Bureau

## Idaho Juvenile Courts 2007

The Juvenile Rules Committee proposed new rules which provide appropriate alternatives to institutional commitment. By relying upon the consensus of a screening team composed of family members, mental health workers, court officials, law enforcement officers, and substance abuse experts, juveniles can qualify for treatment alternatives, reducing their probability of recidivism.

Substance abuse remains a priority of Idaho's Juvenile Courts. The implementation of SB 1142 provided instruction to juvenile judges sentencing individuals with substance abuse problems. Additionally, dollars from the Millennium Fund have been applied to Idaho's two primary intervention programs; the Status Offender Services and Youth Courts. Combined, these efforts proactively strike at Idaho's youth substance abuse problem by intervening early.

## 2007: Idaho Celebrates 10 Years of Court Assistance Services

Idaho's local population densities are as varied as its majestic landscapes. Providing legal services to remote locations with comparatively small populations has proven to be a challenge. Idaho's Court Assistance Services have responded by implementing new technologies which have allowed over 50,000 users to access court information since May 1, 2006.

The Idaho Interactive Court Forms Project provides an excellent example of the successful application of technology to the courts. The effort provides 27 guided interviews to assist self-represented litigants in completing 151 different court forms which cover a multitude of legal topics. The project has emerged as a national model for the successful blending of technology and court assistance.

In upcoming year, Idaho's Court Assistance Services will continue to implement new ideas that promote public access. The statewide website will be supplemented with multi-media tools, allowing litigants more refined access to court documents. Improvements under consideration include real-time chat features, which allow live communication between litigants and officers of the court.

## Guardianship and Conservatorship Pilot Programs

The aging of Idaho's "baby boomer" population has increased the proportion of older citizens residing in the state. Combining this shift in demographics with societal developments, like Idaho's methamphetamine epidemic, have resulted in large numbers of grandparents raising grandchildren through guardianship and conservatorship authority.

Uniform inventory and annual reporting forms have been developed and adopted and are now being used in six pilot counties allowing for more accurate and complete case monitoring. Recommendations

for statewide reporting and monitoring policies are scheduled to be completed by March 2008. Success in the pilot counties is undeniable, with a 70% of increase in volume of conservatorship reports filed since the program was implemented. Goals for 2008 include a systematic and thorough audit of reports filed, web based reporting, standards of practice for guardians and conservators, and strengthening "Court Links" with community groups and pertinent government agencies. Beyond 2008 the committee hopes to develop resources for training and general use, develop funding models for various programs, and strengthen guardianships/conservatorships for minors.

## Idaho Courts 2007-08 Budget Priorities

In order to meet the demands of a rapidly growing population, increasingly complex cases, and growing caseloads, the Court established the following budget priorities:

- ⚖ The Legislature established the Idaho Court of Appeals over 25 years ago. This three-judge court has served the citizens of Idaho with distinction and has achieved an outstanding record of quality and efficiency. However with a 250% increase to the Court's workload, along with a corresponding increase in the complexity of the appeals, the Supreme Court urges the Legislature to add a fourth judge to the Court of Appeals in order to achieve greater efficiencies and timeliness in the resolution of appeals, and to issue the highest quality opinions possible.
- ⚖ The trial judges have expressed their willingness to continue and, if possible, to expand the use of problem-solving approaches that have proven effective and that have the potential to reduce costs incurred by state and local agencies. Drug courts and mental health courts provide a cost-effective, community-based alternative to prison growth and increasing jail costs.
- ⚖ In order to attract outstanding lawyers and judges to the state judiciary, Idaho must offer competitive salaries. Salary increases are also requested to address Idaho's shortage of court reporters. The court asks that court reporters receive pay increases relative to their skill sets.
- ⚖ Today's judiciary consists of a complex array of judicial and non-judicial positions. The positions are funded by states, counties, grants, and contracts. In order to comply with current code, a human resource office must be added to the courts.
- ⚖ The Supreme Court, in coordination with the University of Idaho College of Law and others, proposes to the Permanent Building Fund Advisory Council to build an Idaho Law Learning Center, with planning funds requested in the FY09 budget.



### Legislation for Consideration at the 2008 Session of the Legislature

During the 2008 legislative session, the court has requested that the legislature consider issues of security, equity, and efficiency. More specifically, the court asks that:

- ⚖️ Idaho State Police provide security and protection for the Justices of the Supreme Court, the Judges of the Court of Appeals, and the Supreme Court Building
- ⚖️ A stabilization fund be established to support the Judges' Retirement Fund
- ⚖️ Civil case filing fee schedules be simplified
- ⚖️ Court reporters' compensation be based upon skills and qualifications for real-time reporting
- ⚖️ A system of misdemeanor probation offices be established, with training provided
- ⚖️ A magistrate judge be made a voting member of the magistrate commission and that a trial court administrator be appointed the secretary of the commission

### Data Repository Available Online

The new data repository is available to the public to provide information on the status of trial court cases in the state of Idaho. Electronic records are available from 1995 forward, although some information for older cases may also be available. This service is being made available by the Idaho Supreme Court as a public service. There is no charge for its use.

All case information determined by court rule or court order to be a matter of public record is displayed on the site.

Nightly updates are made to reflect changes made to the court record during the previous working day. This data repository currently contains court case information originating from all Idaho trial courts that are a matter of public record as established by court rule or Judicial Order, with the exception of Ada County criminal cases (felony, misdemeanor and infraction). It is anticipated that Ada Criminal cases will be added by spring of 2008.

Early feedback from repository users has been very positive. "A number of attorneys from around the state have called and said that the repository has been a great time saver," reports John Peay, Director of Information Systems. Also, explained Peay, "The media has found the repository a great tool for doing research for news stories." <https://www.idcourts.us/repository/start.do>

### Organization of the Administrative Office of the Courts

At the request of the Idaho Supreme Court, a workforce plan was developed in 2007 for the Administrative Office of the Courts (AOC) to strengthen its leadership and service to the state courts. As part of that plan, the AOC recently reorganized its structure to realign its varied functional responsibilities and services, and to ensure the highest degree of efficiency, increased communication, and quality of service. An organizational chart can be viewed by clicking on the following link: <http://www.isc.idaho.gov/links/AOC%20Org%20Chart%20Mar%2008.pdf>

### Jury Orientation Video Updated

Thanks to the invaluable help of Chief Justice Eismann and retired Justice Trout, the Jury Orientation video/DVD has been updated and distributed to all counties. To view the new video, go to the Court's website, <http://www.isc.idaho.gov/>, and select "Jury System" on the left-hand margin and click on Service Video. All jury commissioners should now be using the new video/DVD.





*Dick Sagness, who is attending the session on behalf of Sen. Edgar Malepeai; Representative Ken Andrus and Judge Peter D. McDermott.*



*Judge Ronald E. Bush and Representative Elaine Smith.*



*Judge Lynn Brower, Representative James Ruchti, Dick Sagness, Judge David Nye, and Representative Ken Andrus.*



*Representative James Ruchti, Dick Sagness, Representative Ken Andrus and Judges Peter D. McDermott, Steve Thomsen and David Nye in the background.*



*The attendees listening to Judge Ronald E. Bush as he discusses I.C. 19-2524, substance abuse and mental health assessments.*

## Sixth District Legislative Luncheon

The Sixth Judicial District held its annual legislative/judicial luncheon at the Arthur P. Oliver Law Library in December. The majority of area legislators and judges attended the lunch. Judge Peter D. McDermott welcomed the attendees and introduced the newest judges in the district, Hon. David C. Nye and Hon. Steven A. Thomsen. Several topics were discussed including the need for treatment dollars for individuals who do not qualify for problem-solving courts, the need to help small counties find less expensive ways to fund the building of jails, issues regarding the sexual offender registry, laws related to sexual offenses, and Idaho Code 19-2524, relating to mental health and substance abuse assessments for felony cases.

## Court Goals Updated

In November of 2007, the Idaho Supreme Court approved changes to the Idaho Courts Mission Statement.

The first goal is to increase access and service to the public. To meet this goal, the courts will foster increased public awareness of the services offered by the Court Assistance Office, complete the implementation of the ISTARS program in the Ada County criminal justice system, and among other things, improve public access to appropriate court information via the internet.

The second goal, to improve the fast and fair resolution of court cases, will require improving and evaluating many current programs. Therefore, the court will: enhance the Family Court Services in each district; evaluate the court practices in cases involving children and families, domestic violence or the mentally ill; develop clear reports for all judges to assist in meeting time standards and improving court practices; and establish case management and ADR training institutes to develop strategies on resolving cases in a timely manner.

To achieve the third goal of promoting excellence in service, the courts plan to relocate the Law Library, plan a Law Learning Center with the University of Idaho College of Law, upgrade electronic resources, sponsor multi-disciplinary training institutes, enhance education programs for court personnel, and in partnership with the Idaho State Bar, set training standards for attorneys practicing in the areas of child protection, juvenile justice, guardianship and conservatorship cases.

Increasing public trust and confidence in Idaho courts will involve evaluating community-based alternatives for juvenile offenders, expanding problem-solving courts, updating security and emergency plans, increase the availability of sentencing alternatives to reduce recidivism, implementing the guardianship/conservatorship program in six counties, adding a 4th judge to the Court of Appeals and implementing the recommendations of the Appellate Task Force.





*Judge N. Randy Smith, Ninth Circuit Court of Appeals joins legislators and District Judges at the Supreme Court's dinner at the Stonehouse on Jan. 16, 2008.*



### **Judge William Meyer Addresses District Judges**

The annual District Judges Seminar was held on January 16-18, 2008 immediately following the Annual Drug and Mental Health Courts Institute.

Retired Judge William Meyer, of the Judicial Arbitrator group of Colorado, opened the session. Director Brent Reinke of the Department of Correction and Olivia Craven of the Commission of Pardons and Parole provided department updates, and Judge Michael McLaughlin was joined by a panel of District Judges to address sentencing issues. Tom McCabe and Ken Jorgensen returned to the seminar for a Criminal Law Update; Cathy Darden and Michael Henderson for a Civil Case Law Update and Merlyn Clark addressed Trial Evidence, Witnesses, and Testimony of Witnesses. The conference also included round table discussions on Emerging Issues for Idaho Courts and a wonderful luncheon presentation hosted by the Federal Court featuring Judge N. Randy Smith, Ninth Circuit Court of Appeals and Chief Judge, Lynn B. Winmill of the U.S. District Court.

It is gratifying that the seminar came very close to the goal of achieving 100 percent attendance of District Judges. Congratulations to all who participated to make it possible.

## **New Orders & Rule Changes**

For Current New Orders or Rule Changes, go to <http://www.isc.idaho.gov/rulesamd.htm>

### **Amendments to Idaho Court Administrative Rules and Idaho Appellate Rules**

As a result of recommendations from the Court Reporter Committee and the Administrative Conference and in a continuing effort to ensure the timely resolution of appeals, the Court has amended both the appellate rules and the court administrative rules addressing the filing of transcripts on appeal.

The amendments require the appellant to specifically identify each court reporter from whom a transcript is being requested in the notice of appeal, notice of cross-appeal and any motion to augment with additional transcripts, and to certify that each of these individual reporters were served. In addition, the rules set out a new tiered approach for due dates for transcripts based on the number of anticipated pages. Procedures for an extension of time to prepare a transcript and for overdue transcripts are also set out.

The new rules are effective March 1, 2008.

*In Re: Amendment of Idaho Appellate Rules - January 3, 2008, effective March 1, 2008*

*In Re: Amendment of Idaho Court Administrative Rules 23, 26, 27 and Adoption of New Rules 28 and 29 - January 3, 2008, effective March 1, 2008*

*In Re: Adoption of New Idaho Rule of Evidence 507 - January 3, 2008, effective July 1, 2008*

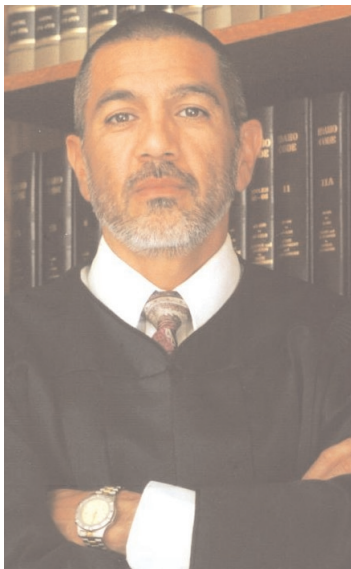
*In Re: Amendment to Fourth Judicial District Local Rules 1/08*

*In Re: Amendment to Fourth Judicial District Local Rules 12/07*

*In Re: Membership of Drug Court / Mental Health Court Coordinating Committee*







### **Court of Appeals – New Chief Judge Sergio Gutierrez**

The Honorable Sergio A. Gutierrez has been appointed Chief Judge for the Idaho Court of Appeals. He assumed the position on January, 1, 2008.

Prior to becoming Idaho's first and only Latino Judge, Judge Gutierrez overcame many challenges in his early life, including poverty. He began his career as a farm worker and went on to receive his GED through Job Corps. He credits the influence of his grandmother for instilling his passion for learning, "She gave me insight into the possibilities by exposing me to reading and writing," Gutierrez said.

Judge Gutierrez obtained a Juris Doctor degree from the University of California, Hastings Law School. He practiced law in southwest Idaho until 1993, when he was appointed to the District Court. In 2002, Judge Gutierrez was appointed to serve on the Idaho Court of Appeals. He currently chairs the Idaho Supreme Court Fairness and Equality Committee and has previously served on other Supreme Court committees. Judge Gutierrez most recently served on the Governor's Criminal Justice Commission.

"I've found so much satisfaction working in law from the District Court level to the Court of Appeals," said Judge Gutierrez.

The Judge has received numerous awards for his extensive public service and serves on several boards and commissions to help the

community. In October 2002, Hispanic Business magazine named the Judge as one of the 100 most influential Latinos in America.

Judge Gutierrez and his wife Mary have been married for 36 years. On his off time, Judge Gutierrez enjoys spending time with his grandchildren and training for triathlons and marathons.

### **New Assistant Trial Court Administrator Named**

Benita Miller has been selected as the Assistant Trial Court Administrator in the 3rd Judicial District. Miller began her new duties on February 11, 2008. Miller is well-known throughout the district for her many years of work with the CASA program and for her active participation in the field of child custody mediation.

### **District Judges Elect New Officers**

During the District Judges Seminar, the District Judges Association elected the following officers:

President: **Judge Kathryn Sticklen**

Vice-President: **Judge Steve Verby**

Secretary-Treasurer: **Judge Juneal Kerrick**

### **Andrew Ellis Honored**

The Governor's Task Force on Children at Risk presents an annual award for the prosecuting attorney who serves the children of Idaho in an exemplary fashion. This year, the recipient was Ada County Deputy Prosecuting Attorney Andrew Ellis. He was nominated by Deb Alsaker-Burke, Annie Cosho and Judge Karen Vehlow. The award was presented at the Idaho Prosecuting Attorney's Association conference held recently in Boise.



### **Focus: Eight Rules for Judicial Time Management**

In a previous issue of Judicature, retired judge Steven Wallace published an article on the "Eight Rules for Judicial Time Management." To access this article visit:

<http://www.isc.idaho.gov/links/Focus-8%20rules%20for%20judicial%20time%20mgmt.pdf>



### Otter Names 4th District Judge

Governor C.L. "Butch" Otter has appointed Ada County Magistrate Judge Timothy Hansen to fill the 4th District judgeship left vacant by the September 2007 appointment of Joel Horton to the Idaho Supreme Court. Judge Hansen's oath of office was held February 1 at the Ada County Courthouse.

### Judge Mitchell Honored

Kootenai County District Judge John Mitchell has received the Idaho State Planning Council on Mental Health's 2008 Mental Health Recognition Award. The award was presented during the Council's annual legislative breakfast in Boise.

### New Federal Magistrate Judges Named

Chief United States District Judge B. Lynn Winmill has announced the appointments of Boise attorney Candy W. Dale and Pocatello state District Judge Ronald E. Bush as federal Magistrate Judges for Idaho. They fill vacancies created by the recent retirements of United States Magistrate Judges Mikel H. Williams and Larry M. Boyle.

### New Magistrate Judges Take Office

- ⚖ The 5th Judicial District held an Oath of Office Ceremony for Mick Hodges the new Magistrate Judge for Cassia County at the County Courthouse in Burley on February 1st. Judge Hodges joked that he was "sworn in on Friday and sworn at on Monday." He replaces Judge Michael Crabtree who was appointed to the District Court bench.

- ⚖ Magistrate Judge Robert Crowley's investiture ceremony was held at the Jefferson County Courthouse in Rigby on January 18th. Judge Crowley replaces Judge Michael Kennedy who served in the position for 25 years. Meanwhile, Judge Kennedy was honored with a reception and tribute at the Jefferson County Courthouse on January 11th.

- ⚖ The Magistrates Commission of the First Judicial District has appointed James Stow as Magistrate Judge with resident chambers in Kootenai County. Judge Stow fills the vacancy created by Judge Robert Burton's retirement after 17 years on the bench.

- ⚖ Daniel Steckel of Boise was recently named Magistrate Judge in the Fourth District and began covering the misdemeanor criminal and juvenile calendars in January. He fills the vacancy left by Judge Richard Schmidt's retirement. Steckel served in the Attorney General's office from 1991 to 2007 and provided representation to the Department of Water Resources, the Idaho Human Rights Commission, and the State Division of Human Resources.



### W-2 News of Interest

The 2007 paper form W-2s have been mailed. Employees who have chosen to receive a paper form W-2 should have received them in the mail. If an employee has not received his/her W-2, please call 208-334-2394.

NOTE: Employees are still able to view their Online Form W-2 at any time. If you would like to read more about Online Form W-2s, please visit: <http://www.sco.idaho.gov/web/scoweb.nsf/displayview?ReadForm&L1=Payroll&L2=W-2>





*Drug Court / Mental Health Court Leadership Awards presented by Chief Justice Eismann to Senator Joe Stegner and Kathy Skippen of the Office of Drug Policy (above) and Representative Jim Clark (below).*



### **Drug Court and Mental Health Courts Institute Held in Boise**

With attendance close to 400, the Drug Court and Mental Health Courts Institute in January was a huge success. Participants included District and Magistrate Judges who preside over Drug Courts and Mental Health Courts, Coordinators for those Courts, probation officers, treatment providers, and other team members from these problem-solving courts.

Participants were included in plenary sessions of interest to the group and offered several choices of break-out and round-table sessions relating to their specific areas of responsibility.

Presenters included Hon. William G. Meyer (ret.), Judicial Arbitrator Group of Colorado; Dr. Shelley Johnson Listwan; Dr. Douglas Marlowe, Director of the Division of Law and Ethics Research Treatment Institute at the University of Pennsylvania; Paul Cary, Director of the Toxicology and Drug Monitoring Lab at the University of Missouri; Larry Fricks, Director of Appalachian Consulting Group and Vice President of Peer Services, Bipolar Support Alliance; Dr. Kenneth Robinson, President of Correctional Counseling, Inc.; Kipp Dana, Clinical Director/Administrator, District 7 Treatment Program; Jamie Shropshire, Esq. from District 2 DUI court; Norma Jaeger, Statewide Drug Court Coordinator; Scott Ronan, Statewide Drug Court/Mental Health Court Planning and Development Specialist; Julie Cottrell, ISTARS Coordinator; Scott Tiffany, Chief, Bureau of Mental Health; Dave Ryan, Idaho Department of Correction Consultant; Hon. Robert Naftz, Magistrate Judge, Bannock County; Cyndy Hawkley, Bannock County; Leslie Betty, Bannock County; Hon. John Varin, Senior Judge and Juvenile Justice Coordinator; Jose Orozco, Juvenile Probation Officer; Eric Olson and Randy Rodriguez.

The planning committee for the Institute included Judge Lowell Castleton, Chair; Norma Jaeger, Statewide Coordinator of Drug Courts and Mental Health Courts; Patti Tobias, Corrie Keller, Judges Ron Wilper, John Mitchell, Ryan Boyer and John Varin; Scott Ronan, Keri Parks and Kim Woods.

### **Court Reporters Seminar Held**

The Idaho Supreme Court held the annual Court Reporters Seminar in January and all official court reporters were invited to attend. The first day of the seminar included a welcome from Chief Justice Eismann, Case Catalyst Training provided by David Stanley, a report on recent rule amendments by Cathy Darden, a question and answer session on Supreme Court/Court of Appeals issues led by Steve Kenyon, and a segment on "What's New in Stenography" by Tom LaFera.

Patti Tobias welcomed participants on the second day of the seminar, and participants benefited from an intense training on "Realtime Court Reporting" by Anita Paul Johnston of Anita Paul International.

The seminar was a great success and the program evaluations were very positive. Offering this training is an important component to the education efforts put forth by the judiciary. Next year's seminar is scheduled for January 29-30 in Boise.



## Domestic Violence Summit

The Domestic Violence Summit, hosted by the Family Law Section of the Sixth District Bar, focused on educating the district on what happens in Bannock County's domestic violence court and how domestic violence affects the victims and the community.



For more info. contact:  
Suzanne H. Johnson  
Trial Court Administrator  
Sixth Judicial District  
208-236-7071  
Fax 208-236-7012

Over sixty lawyers, counselors, law enforcement officers, and people from the community attended the summit. Honorable Robert C. Naftz, Kerry Hong and Cassia Morton provided an overview of the Bannock County Domestic Violence Court. They talked about the philosophy of sentencing, what the court does for its victims and how information is provided to individuals who are litigants in a criminal or civil case involving domestic violence.

Dr. Nicole R. Hill gave instruction to the attendees on the effects of domestic violence on children. She explained how children of each age group are affected and how they usually act out the affects. The final portion of the summit gave participants an opportunity to talk to a local panel consisting of John Condron, a court-approved domestic violence evaluator, Robb Redford, the Men's Non-Violence Program Facilitator, Mike Barker, the Men's Non-Violence Program Facilitator and attorney Brent Morgan.

The Family Law Section is co-chaired by attorneys Fred Zundel and Steven Stokes. The Section provides monthly CLE opportunities for attorneys in an effort to provide the most current laws and methods for effective handling of family law cases, emphasizing ways to reduce stress on children in high conflict cases.

## Graphic Novel on Courts Appeals to Young Adults

In an innovative effort to improve the public's awareness and knowledge about how their courts work, the National Center for State Courts (NCSC) has developed a "graphic novel," Justice Case Files: The Case of Internet Piracy, that weaves together two stories – one civil and one criminal – to appeal to teenagers to adults. For the full story, go to:

[http://www.ncsconline.org/D\\_Comm/PressRelease/2007/GraphicNovel07.HTML](http://www.ncsconline.org/D_Comm/PressRelease/2007/GraphicNovel07.HTML)

## NCSC Speakers Bureau on Website

The National Center for State Courts (NCSC) has recently devoted a portion of their website to a series of speeches for judges and other court professionals to use when addressing community and civic groups. Several of these speeches incorporate the story lines from the Justice Case Files to allow the presenter to use the graphic novel as a handout or speaking companion. The speeches are available on the National Center's website at <http://www.ncsconline.org>.



## New "Recognizable First Page" for Protection Orders

ISTARS merge codes have been placed in the Recognizable First Page (RFP), which is the first page of a civil Protection Order. Clerks can now print out the first page of the RFP prior to the civil protection order

hearing, saving time in the courtroom. Elected and deputy clerks have received the form with ISTARS merge codes. For more information or help with the documents, please contact Julie Cottrell at 947- 7421 or [jcottrell@idcourts.net](mailto:jcottrell@idcourts.net).



## Ability/Inability to Delete ISTARS Information

Many of us have waited a long time for the ability to prevent users from deleting ISTARS information in the system.

In a recent update ISTARS added the function which is "user defined" in your system to prevent any user from deleting anything unless they have "Administrator" privileges set up in their security profile.

This is an excellent way to prevent new users from making a mistake of deleting things that should not be deleted or for monitoring exactly what is being deleted from your system.

To set this up go to court system values and you will see (per the screen shot right) the line which says "Require Administrator for delete buttons". If you enter a "Y" the system will not allow any user who is not an administrator to delete.

Description	Maximum Length	Value
Allow access to JSI website via Help (Y/N)	1	Y
Limited Jurisdiction Description	16	Magistrate
General Jurisdiction Description	16	District
CLASS Reporting Start Date	10	[not used]
Track physical location of case files (Y/N)	1	Y
Use originally saved case style (Y/N)	1	N
Use officer badge numbers (Y/N)	1	N
Use Attorney Bar numbers (Y/N)	1	N
Use warrant numbers (Y/N)	1	N
Warrant review days	4	0000
Allow inquiry only users to see hearing comments (Y/N)	1	Y
Delete hearing after result entry (Y/N)	1	Y
Require Administrator for delete buttons (Y/N)	1	Y
Automatic suspend operation time	2	60
Delayed report start time	10	6:00 PM

If someone who is not an administrator attempts to delete anything the following box will pop up and it will **REQUIRE** someone with administrator access to authorize the deletion.

Administrator's userid:

Administrator's password:

OK Cancel Help

To check to see if a user has "administrator" authority check the access tab on the security table for the user or the group. If the "Administrator" box is **NOT** checked the user is not an administrator.

Security: ☐ Controller ☐ Administrator

Probation officer: ☒ Allowed

Judge appointments: ☒ Allowed

Print checks: ☐ Allowed

**Also,** remember that the people who have controller access are the only ones who can get to the security table.

The controllers thus become the "security officers" for the court. It is vital for the controller (lead worker) to review those tables on a regular basis and inactivate people who no longer work for the court or agency that allowed them access. This would include ex-court clerks, ex-probation officers, ex-law enforcement officers and any others who had a user profile in ISTARS.

Their user profile allows them to what ever access level that they are granted at the local data base AND on the repository. It is vital to keep those records current. It is recommended that you schedule a regular time at a minimum quarterly, to review those users.



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Chief Justice Daniel T. Eismann  
Justice Roger S. Burdick  
Justice Jim Jones  
Justice Warren E. Jones  
Justice Joel Horton

We are very interested in your news and information. If you have or are aware of items that should be featured in a future edition of Judicial/Administrative News please let us know!

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Thanks!



Note: For the most up-to-date Judicial Calendar,  
check the Judiciary's homepage at  
<http://www.isc.idaho.gov/calendar.htm>

